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Examining the Right to Bicycle: Synergies and Tensions Between Human Rights, Civil Rights, and Planning for Cycling

Aaron Golub
Portland State University

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A grayscale photograph of a city street scene. In the foreground, several cyclists are riding away from the camera. To the right, a large bus is visible, with a sign on its side that reads "DRIVING". In the background, there are cars and city buildings. Two traffic signs are visible at the top: one with an upward arrow and the word "ONLY", and another with a right-turn arrow and the words "RIGHT TURN ONLY".

Examining the right to bicycle: Synergies and tensions between human rights, civil rights, and planning for cycling

**NITC Friday Transportation Seminar
October 30th, 2015**

Aaron Golub

Associate Professor

Toulan School of Urban Studies & Planning

Portland State University

Transportation justice and the bicycle?



Forthcoming:

Biking for All: Bicycle Justice and Urban Transformation

Routledge Justice, Equity and Sustainable City Series

Editors: Aaron Golub, Melody Lynn Hoffmann,
Adonia E. Lugo, Gerardo Sandoval

Basic Research Questions:

Is “bicycle justice” a concern of the broader transportation justice movement?

Where do the two frames synergize? Conflict?

Plan

- Review basic concepts, clarify research questions
- Case study: the social context of bicycle justice in Phoenix, AZ
- Explore bicycle justice as a socio-technical system
- Return to discussion of research questions

Methods

- Combine concepts and data from:
 - Critical / human geography / anthropology / sociology
 - Critical race theory
 - Transportation planning and engineering practice
 - Public history of the United States
- Examine bicycle justice within the US transportation justice context

Bicycle Justice – Access to Street Space



Streets were public before they were privatized



Streets were public before they were privatized

Transportation Justice – Fair distribution of benefits and burdens of transportation investments and access to planning process



Start with basic rights definitions

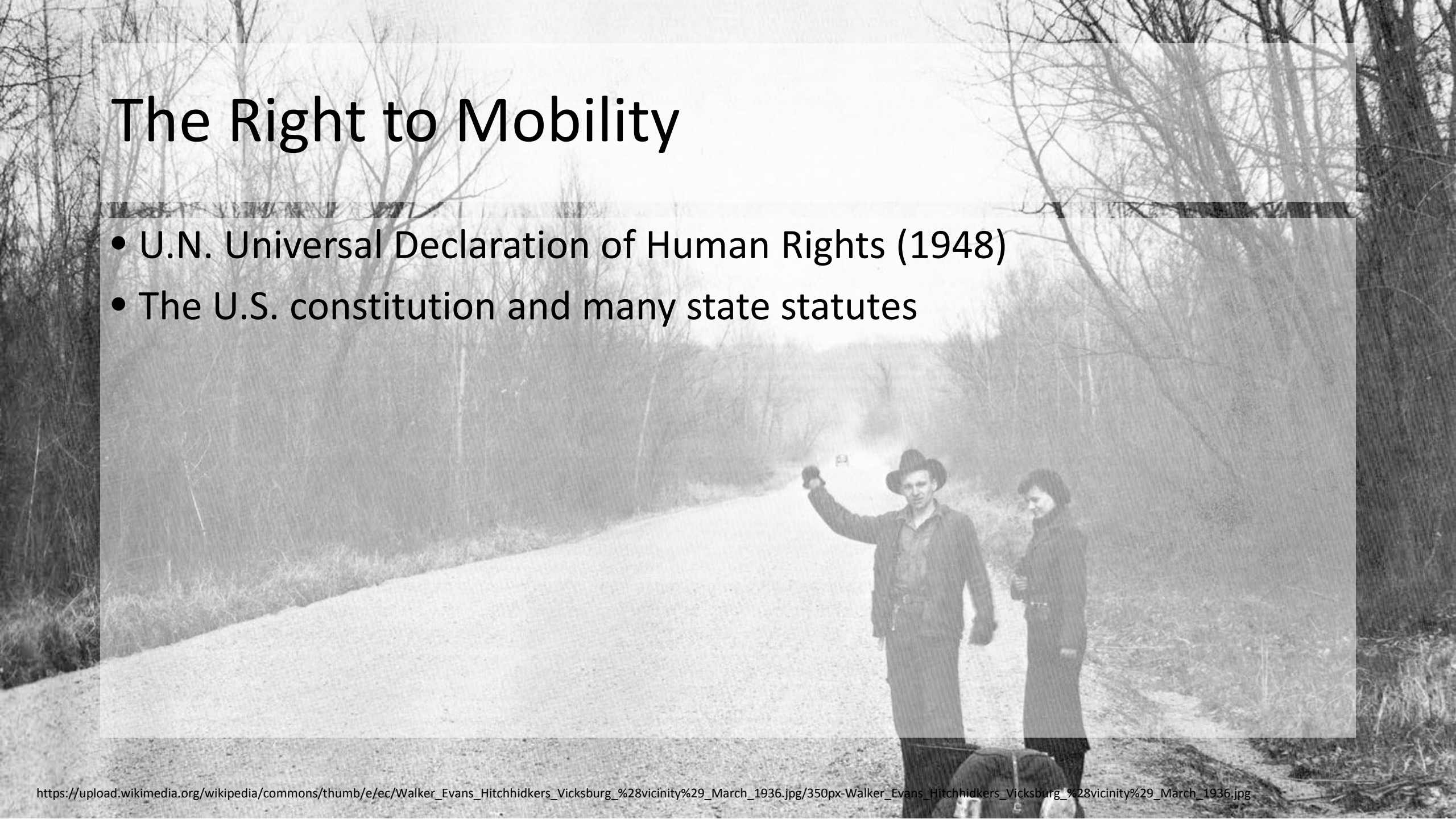
The Right to Use a Bicycle

- Ownership governed by laws protecting private property
- Bicycles are considered road vehicles in most state traffic codes
- Bicyclists have certain duties which differ from other vehicles
- Other vehicle users have duties of care for cyclists



The Right to Mobility

- U.N. Universal Declaration of Human Rights (1948)
- The U.S. constitution and many state statutes



The Social Context of Rights

- Citizenship <-> Rights

Civil rights



- Defined in US constitution and amendments
- Civil Rights Act of 1964 (CRA)
- CRA governs DOT agencies and subrecipients (MPOs, State DOTs..)
- Subrecipients do manage bicycle infrastructure and fair access to this infrastructure is covered under CRA

Citizenship

- Citizenship required to claim rights/protections
- Citizenship varies de facto
 - “Shadow” citizenship given to certain groups
 - Certain types of travels also “shadow”
- CRA was passed to correct “separate but equal” (Jim Crow) doctrines
 - Minorities are protected classes under Civil Rights Act



Return to our research questions:

Is “bicycle justice” a broader transportation justice concern?

Where do the two frames synergize? Conflict?

Basic Human Rights

Human Right to Mobility

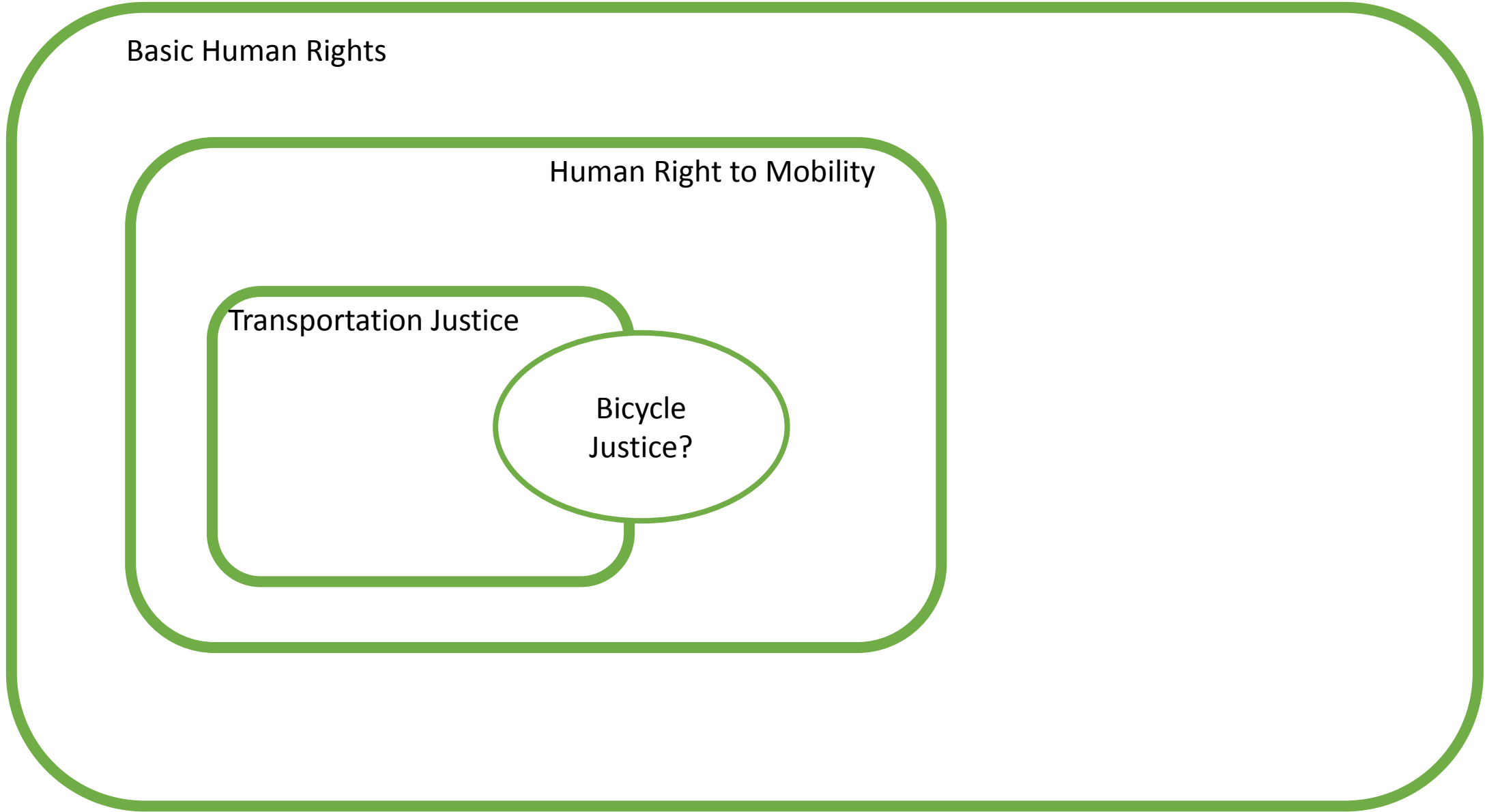
Transportation Justice

Basic Human Rights

Human Right to Mobility

Transportation Justice

Bicycle
Justice?



Objectives of justice struggles reflect “social meaning”

Degrees of “Social Meaning”

Degree of Meaning



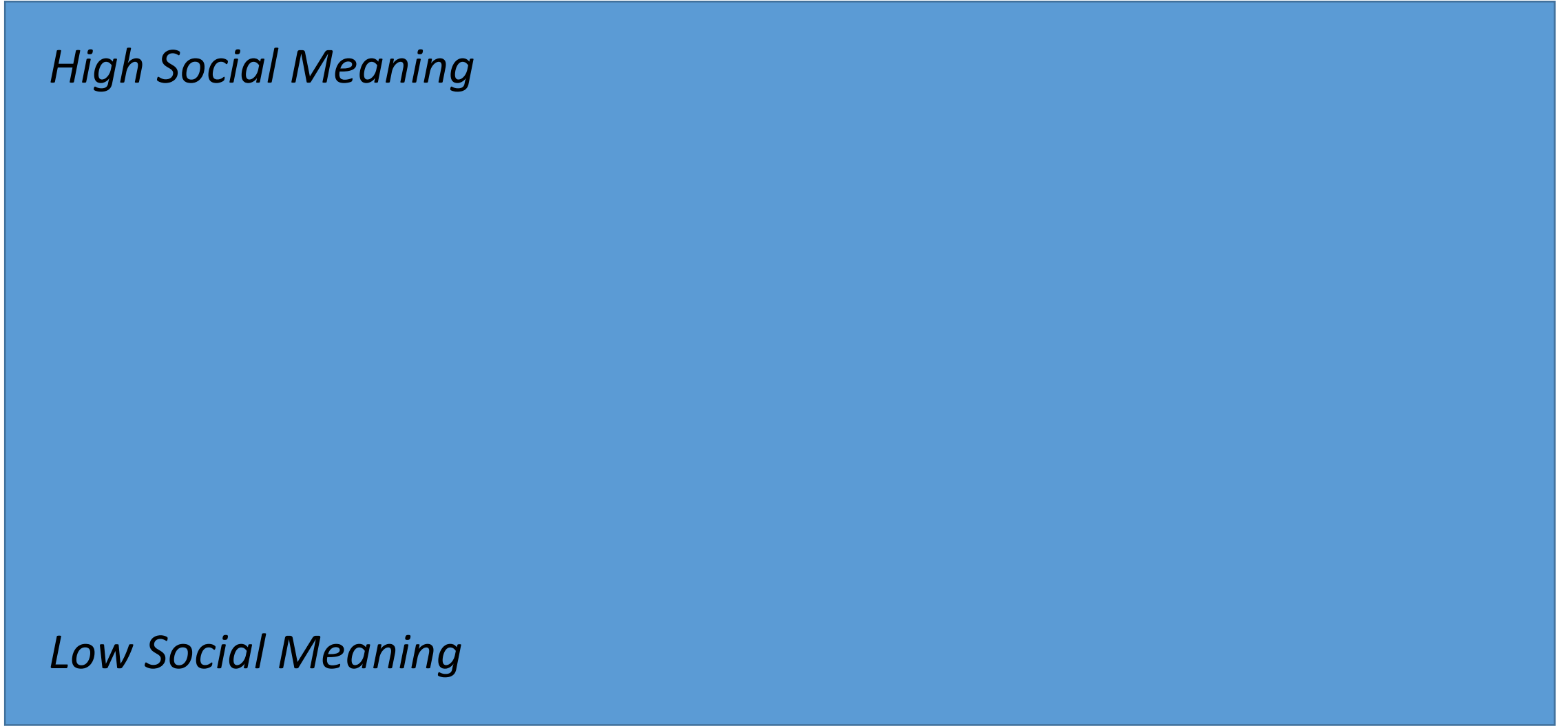
Public concern over its prevision or distribution

Degrees of “Social Meaning”

Degree of Meaning

High Social Meaning

Low Social Meaning



Degrees of “Social Meaning”

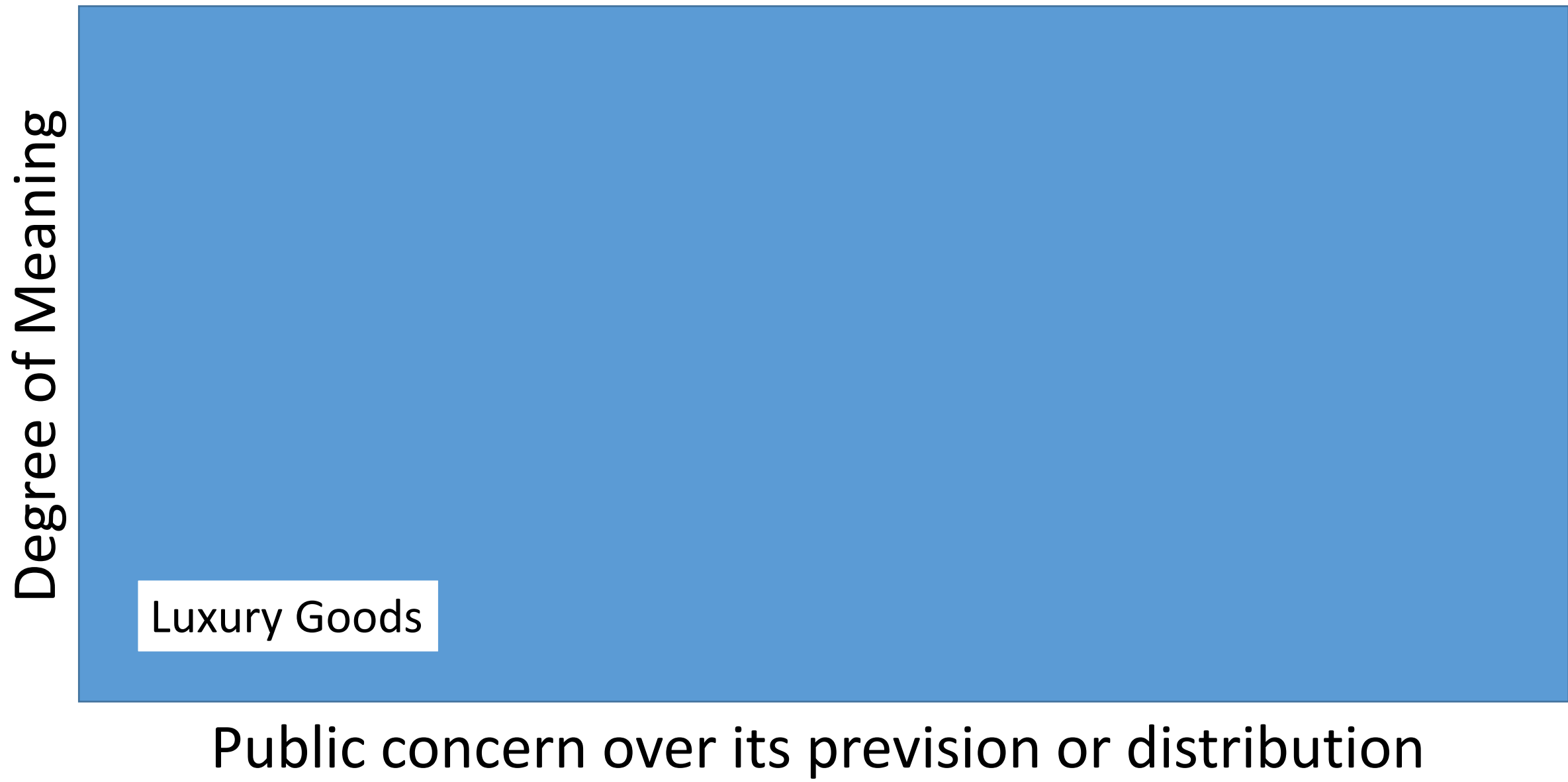


Low: Pure Market Provision

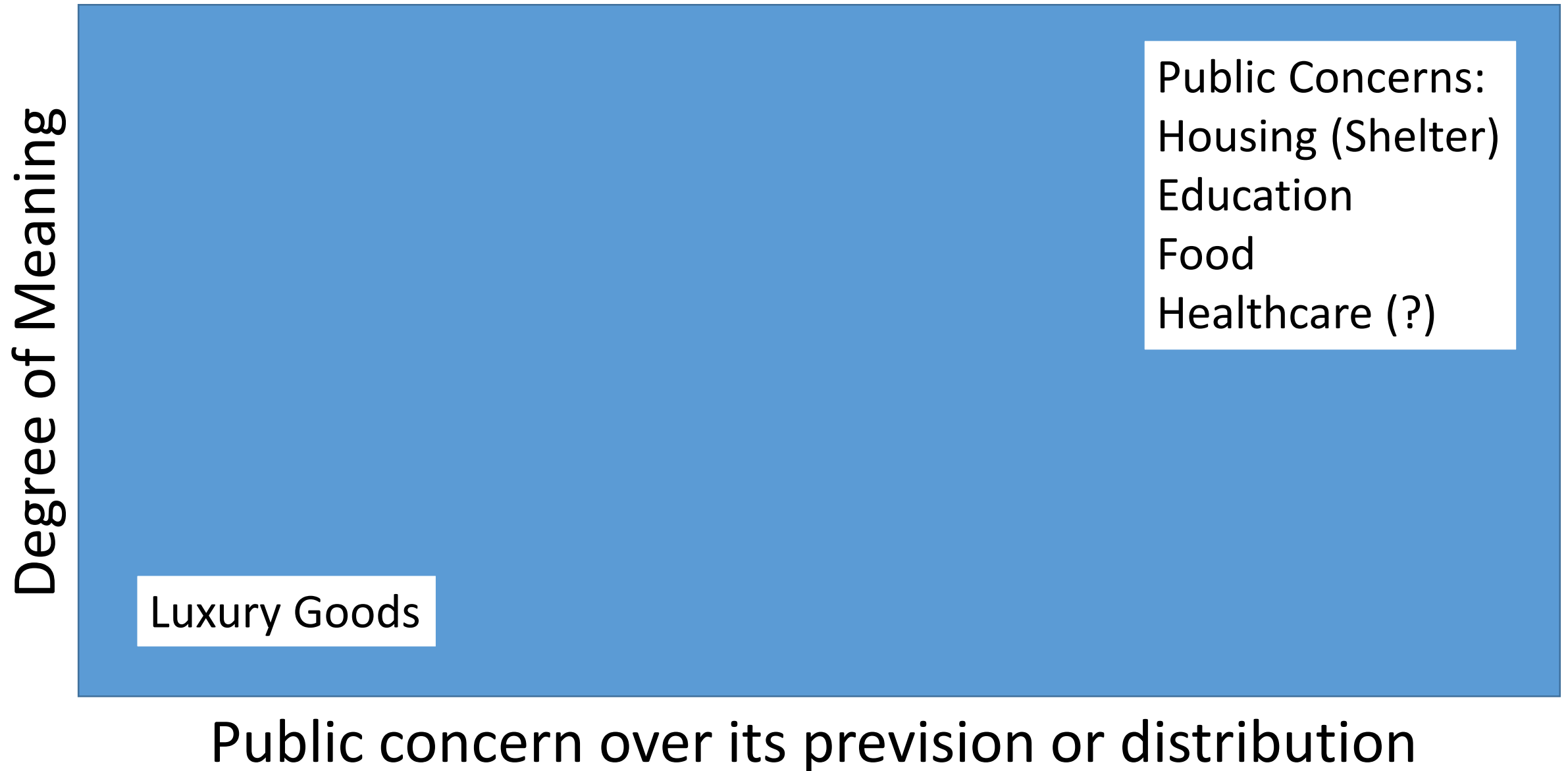
*High: Guaranteed
Universal Access*

Public concern over its provision or distribution

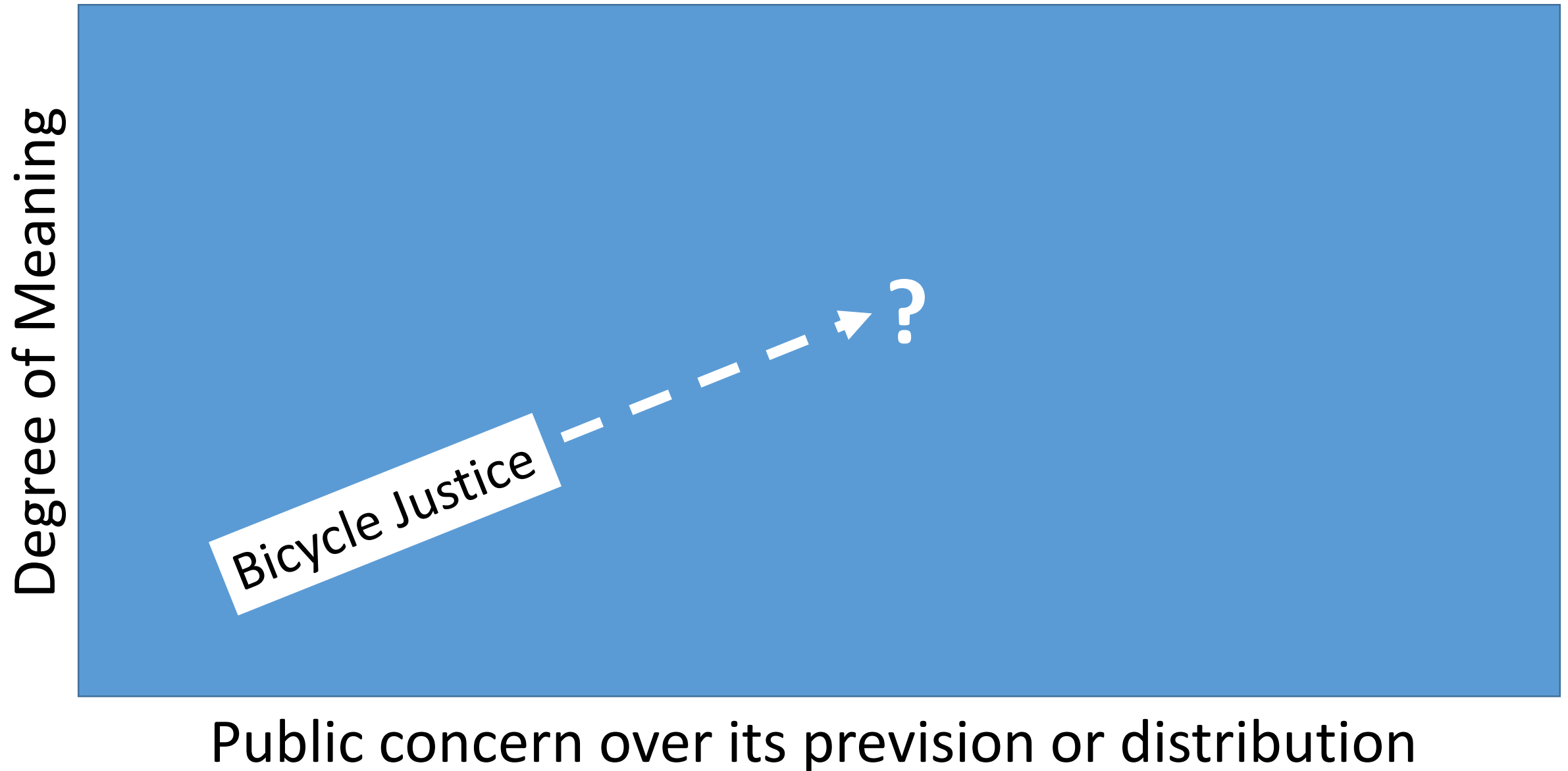
Degrees of “Social Meaning”



Degrees of “Social Meaning”



Degrees of “Social Meaning”




Growth in calls for Bicycle Justice

- Emerging (fourth) wave of national interest in cycling
- ISTEA provisions of CMAQ, TE etc. to fund bicycling from federal transportation spending (on top of local spending)
- Explosion of cycling in many large cities across the country
- Yet “transportation justice” remains a doubt among bicycle advocates

BEYOND THE BACKLASH:

EQUITY AND PARTICIPATION IN BICYCLE PLANNING.

Executive Summary | May 2011 | 

THE NEW MAJORITY

PEDALING TOWARDS EQUITY



The Path to Complete Streets in Underserved Communities

Lessons from U.S. Case Studies



By:
Dr. Kelly Clifton
Associate Professor of Civil and Environmental Engineering
Portland State University

Sarah Bronstein
Research Assistant
Portland State University

Exploring “Bicycle Justice”

- All rights are promulgated and enforced in social contexts
- “Bicycle Justice” is situated in a complex socio-technical system
 - Practices
 - Norms
 - Infrastructures
 - Resources
- Thus “Bicycle Justice” is metered by social processes which shapes how it synergizes or conflicts with broader transportation justice goals

Example – Bicycle Connectivity Study in Phoenix, AZ

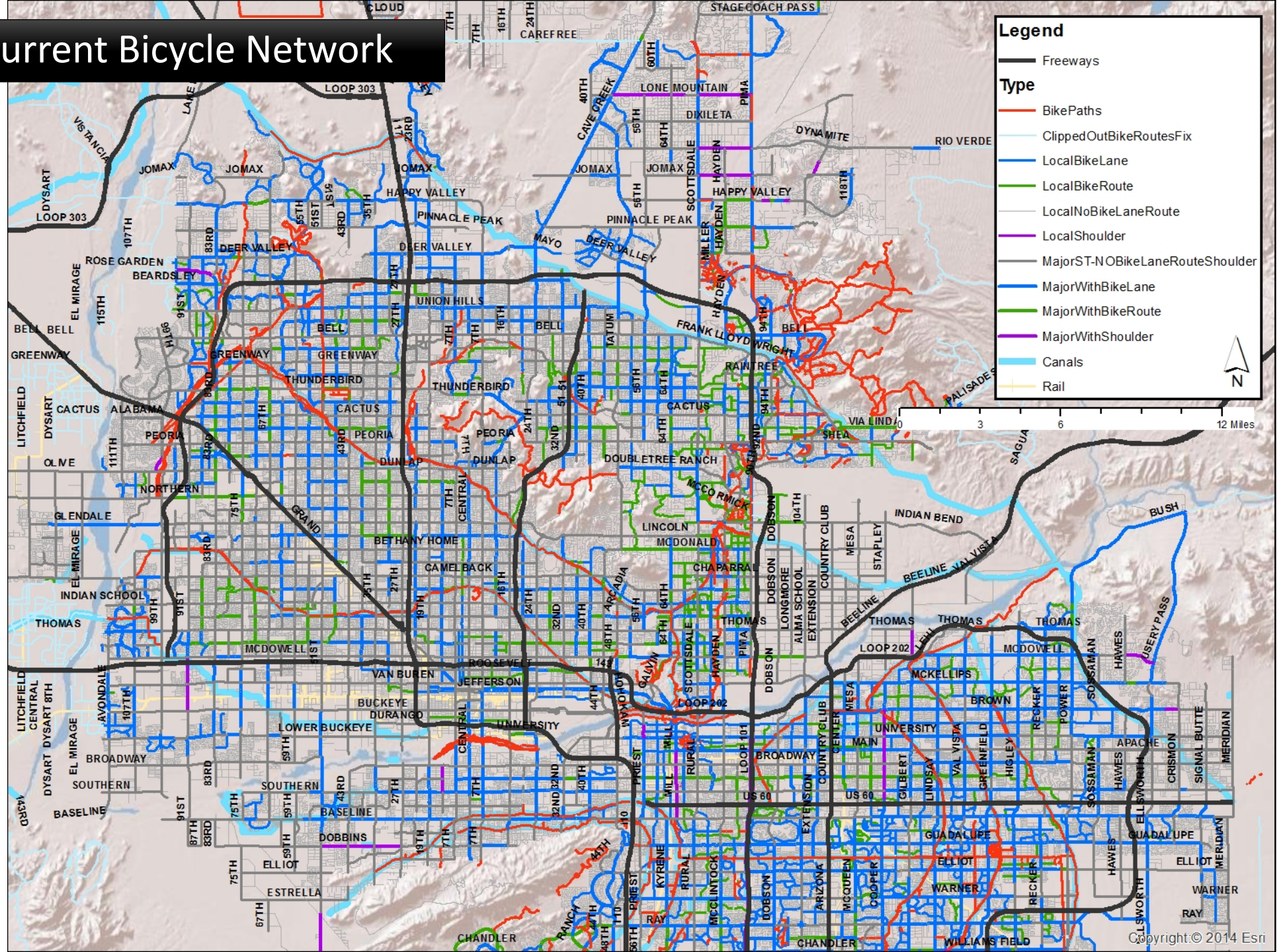
With

Dr. Michael Kuby

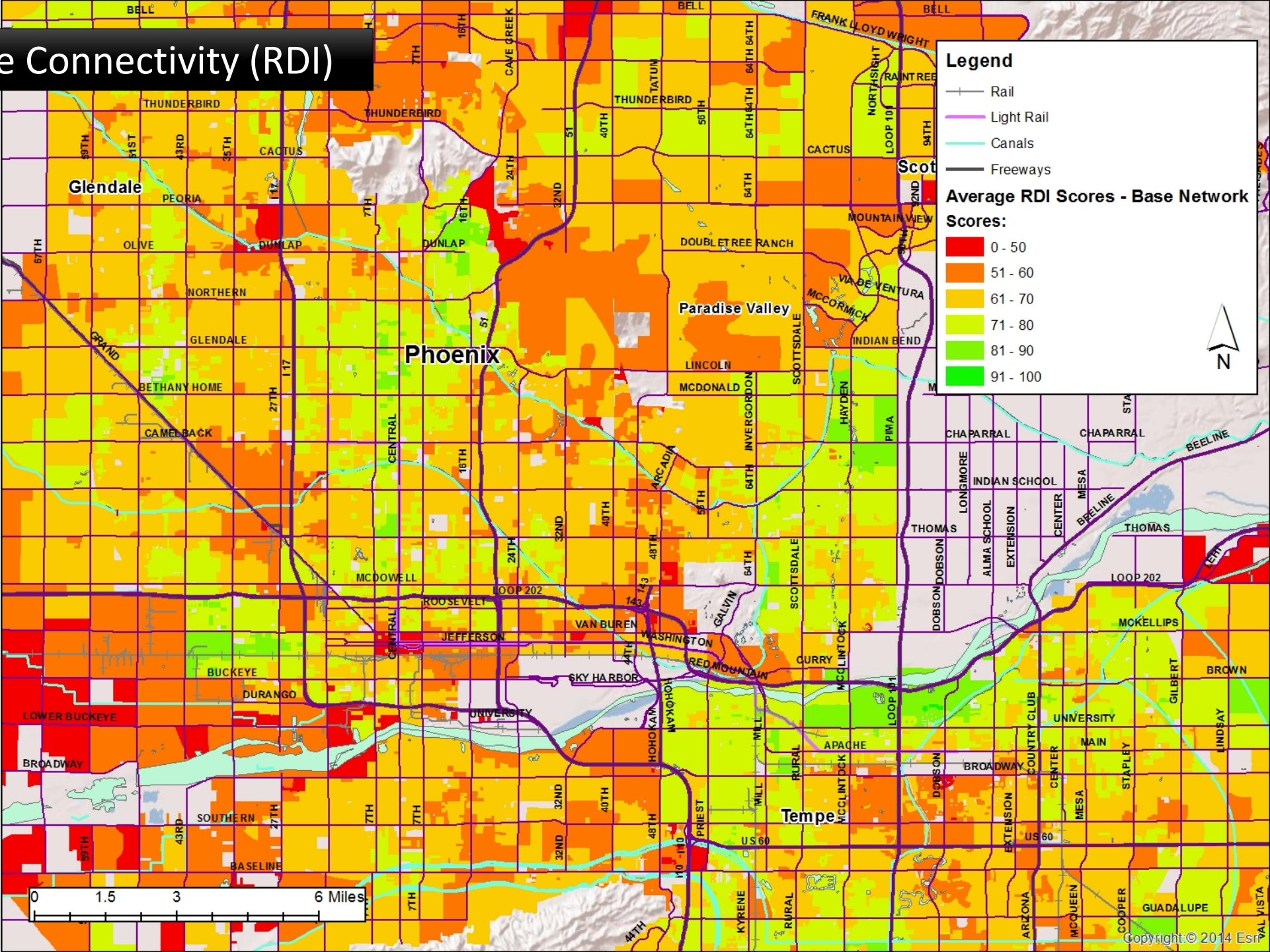
Shawn Monk and Matthew Messina, Research Assistants

Arizona State University

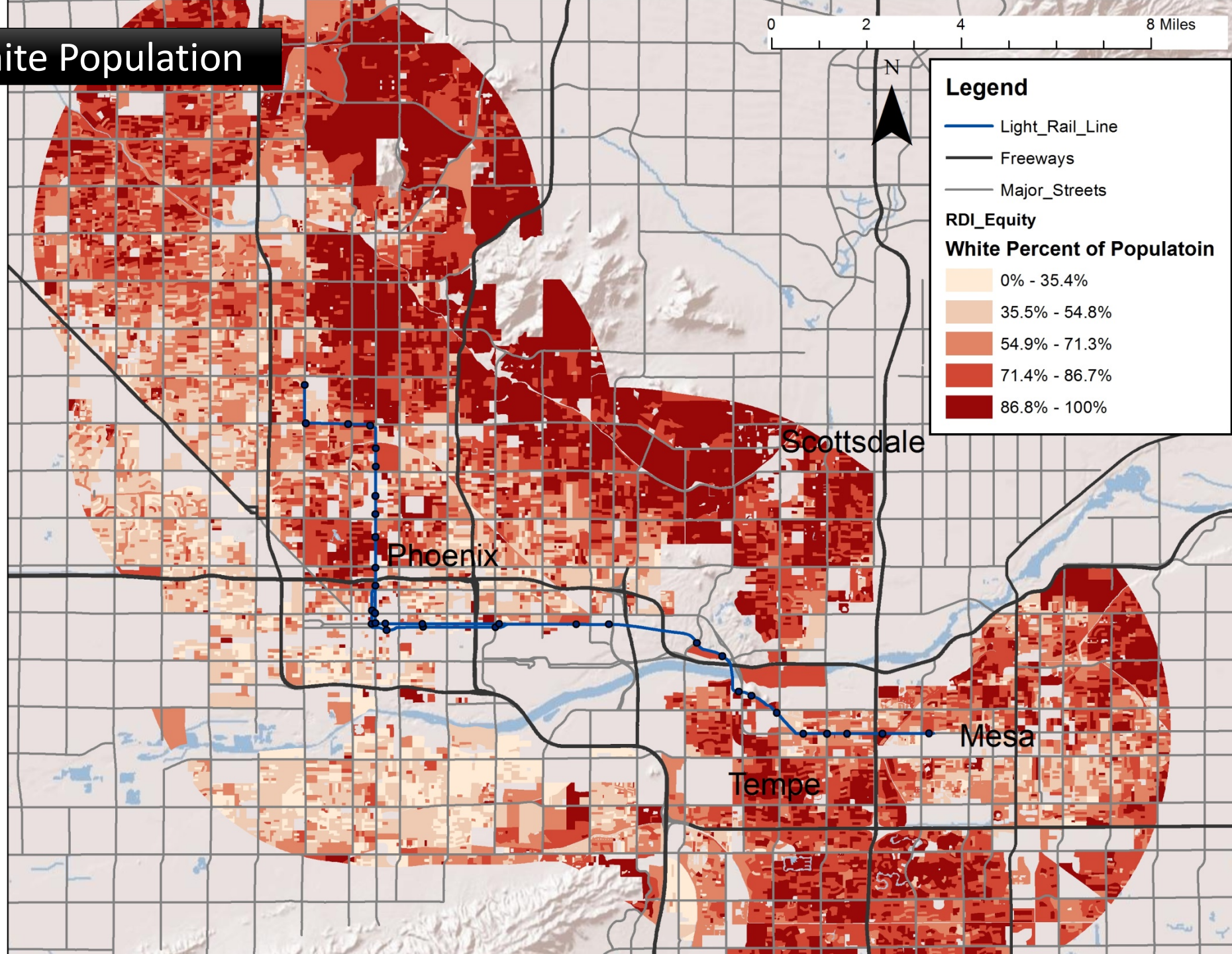
The Current Bicycle Network



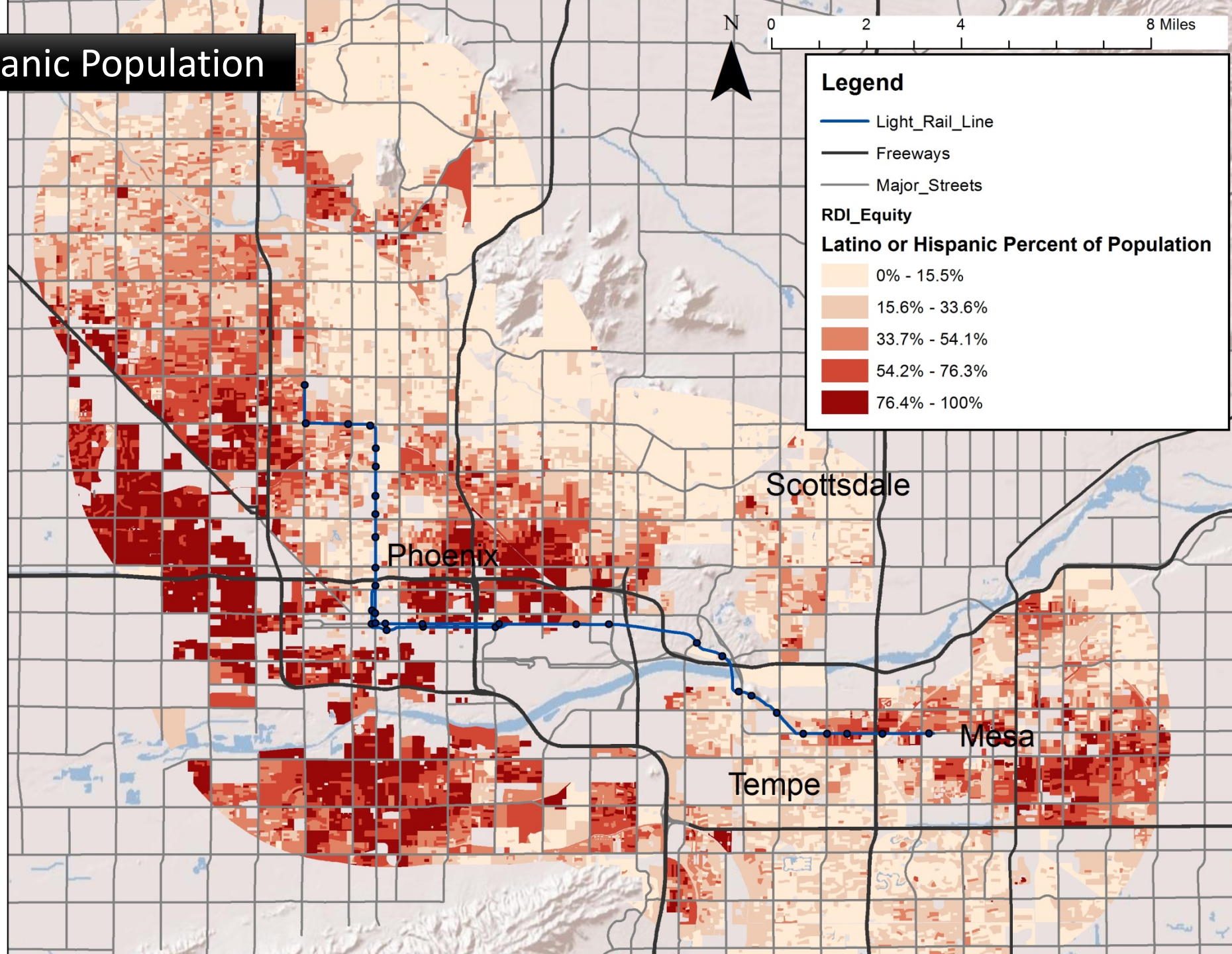
Average Connectivity (RDI)



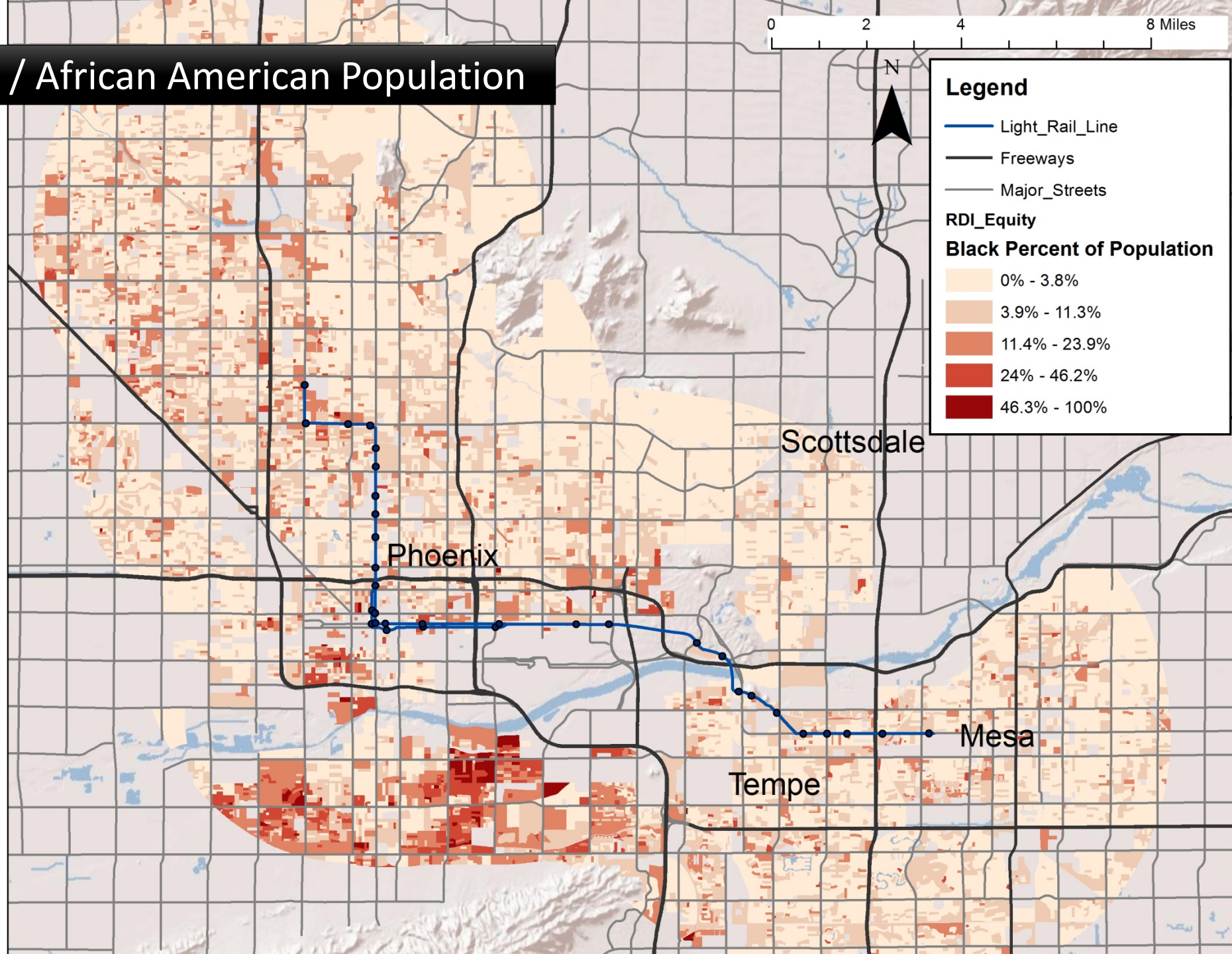
The White Population



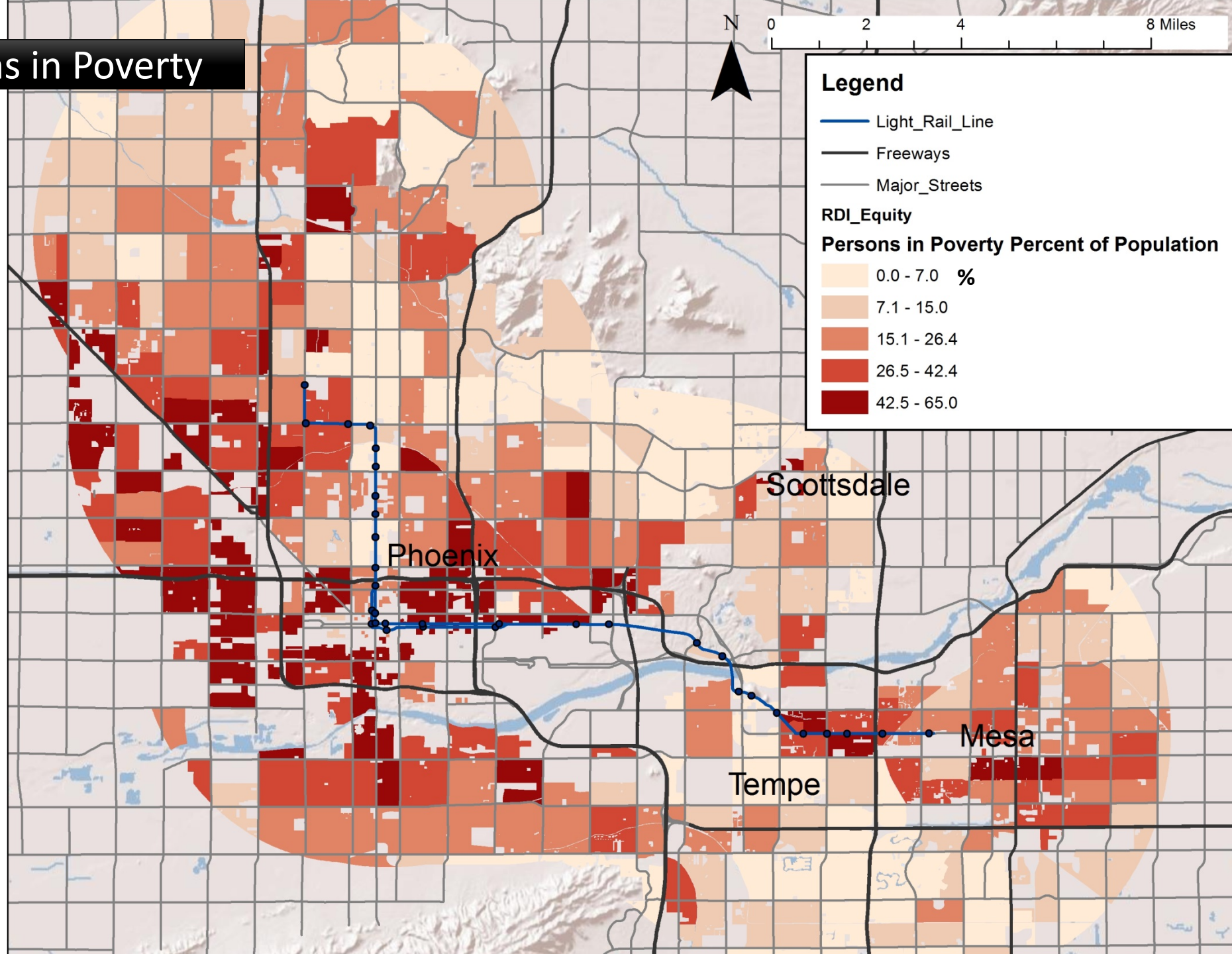
The Hispanic Population



The Black / African American Population



Persons in Poverty



Differences in Average RDI (Degree of
Connectivity) Among Populations

Population Weighted Average RDI

	Sub-Populations' Number of Std Errors Difference from Population Mean				
	Black/ African- American	Hispanic	Poverty	White	“Bike Commuters”
Average of Seven Destination Types	-22.6	-2.6	-2	3.1	9.1
Employment Centers	-15.2	-1.1	-3	2.5	3.1
Light Rail Stations	-19.7	-3.8	-10.9	2.6	2.3

Population Weighted Average RDI

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Socio-Technical dimensions of Bicycle Justice to consider for our research questions

- Planning Practices
- Social Norms
- Infrastructures
- Personal Resources

Bicycle Justice – Planning Practices

- Prioritizing bike commuters over non-commuters
- Responding to vocal communities requesting infrastructure
- Predicting real-estate market demands to attract investment
- General lack of data on all bicycle users



Bicycle Justice – Social Norms

- Cycling generally seen as “second-class” mode
- First wave (1880 to 1900) bicycle use was racially exclusive
- Recent wave not openly inclusive other than isolated shops/community centers/rides
- Counterpoint - census data shows similar bike ridership for whites and minorities

Bicycle Justice – Infrastructures

- Bike infrastructure shown to be significant for encouraging cycling
- Bikes impact a very small number of corridors in the entire US
- ISTEA introduced (systematic) federal funding for bicycle infrastructure
- Pattern of using bicycle investments for real-estate market facilitation
- Streets and public places are threats to communities of color



The background of the slide is a photograph of several bicycles parked outdoors in a grassy area. The bicycles are of various colors, including yellow, purple, and maroon. The image is slightly out of focus, with the text overlaid on a semi-transparent grey box.

Bicycle Justice – Personal Resources

- Bicycles are relatively cheap
- The physical demands of cycling is a barrier to many (i.e. mobility challenges)
- Requires placing body in public spaces
- Who has resources/time to participate in planning processes?

Some conclusions

Synergies between Bicycle Justice and Transportation Justice

- Bikes part of public infrastructure
 - Covered by civil rights law concerning distribution of benefits of DOT programs
- Bicycles may ease travel budgets
 - Inexpensive to operate
 - May offer higher LOS in certain corridors
- Status of bicycling may be rising
- “Invisible” cyclist and community based cycling programs shows latent importance as affordable mode

Conflicts between Bicycle Justice and Transportation Justice

- Variations in de-facto citizenship status for minorities
- Mirrored by lowered status of the bicycle itself
 - Issues of status important as dimension of political freedom (Gilroy)
- Bicycling places the body in harm's way
 - Protecting the body is integral to current human rights discourse in the US (Black Lives Matter)
- Bicycling infrastructure connected to real-estate investment and displacement and gentrification
- Bicycle advocacy is heavily white/middle class
 - Creating “shadow” advocates, missing voices and perspectives

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Thanks!